

03-27-08 02:04pm From=Baum Sigman

3122360241

T-144 P.002/004 F-113

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

SHEET METAL WORKERS LOCAL 265
WELFARE FUND, *et al.*,

Plaintiffs,

vs.

HIGH-TECH MECHANICAL, INC.,
an Illinois corporation,

Defendant.

CIVIL ACTION

NO. 08 C 0670

JUDGE ROBERT M. DOW, JR.

AFFIDAVIT

STATE OF ILLINOIS)
) SS.
COUNTY OF DUPAGE)

SCOTT P. WILLE, being first duly sworn upon his oath, deposes and says:

1. That he is Administrator and/or Authorized Agent of the SHEET METAL WORKERS LOCAL 265 WELFARE FUND, SHEET METAL WORKERS LOCAL 265 PENSION FUND, SHEET METAL WORKERS LOCAL 265 SAVINGS FUND, SHEET METAL WORKERS LOCAL 265 EDUCATIONAL FUND, SHEET METAL WORKERS LOCAL 265 INDUSTRY FUND and SHEET METAL WORKERS LOCAL 265 SUPPLEMENTAL RETIREMENT PLAN.

2. That he has read the Complaint filed in this cause, and knows of his own personal knowledge the contents of the collective bargaining agreements and Agreements and Declarations of Trust and all facts alleged therein, and if called and sworn as a witness is competent to testify thereto.

03-27-08 02:04pm From-Baum Sigman

3122360241

T-144 P.003/004 F-113

3. That he is charged with keeping and maintaining records of contributions received by the Plaintiff Funds, maintains individual records on each person, firm and corporation required to make contributions to said Plaintiff Funds, receives and records contribution reports made by such persons, firms or corporations, and has under his supervision and direction all books, records, documents and papers relating to such Plaintiff Funds.

4. That he has examined the account of Defendant in the above-entitled cause, and states that said Defendant:

- (a) is required to make monthly contribution reports under the terms of the aforesaid collective bargaining agreement;
- (b) has failed to submit its monthly fringe benefit contribution report due for February 2008;
- (c) has submitted monthly contribution reports for the months of August 2007 through January 2008, but has failed to submit the contributions which it acknowledges therein to be due as set forth below:

	<u>Contributions</u>
Welfare Fund	\$76,143.12
Pension Fund	\$48,326.40
Educational Fund	\$ 7,414.88
Industry Fund	\$ 2,432.98
Supplemental Retirement	\$49,239.42
Savings Fund	\$ 9,268.57
Dues	\$ <u>367.41</u>
TOTAL	\$193,192.78

5. That pursuant to the Trust Agreements he has assessed a liquidated damages surcharge against the Defendant in the amount of ten (10%) percent of all contributions due and unpaid and all contributions which were paid late, for the months of August 2007 through January 2008, in amounts set forth below:

03-27-08 02:04pm From-Baum Sigman

3122360241

T-144 P.004/004 F-113

	Liquidated Damages
Welfare Fund	\$7,614.31
Pension Fund	\$4,832.64
Educational Fund	\$ 741.49
Industry Fund	\$ 243.30
Supplemental Retirement	\$4,923.94
Savings Fund	\$ 926.86
Dues	\$ 36.74
TOTAL	\$19,319.28

6. That he is duly authorized by Plaintiffs in this behalf, has personal knowledge of the matters set forth above and if called as a witness in this cause is competent to testify thereto.

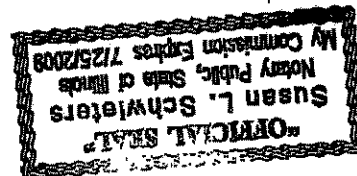
7. That he makes this Affidavit in support of the application of Plaintiffs for default and judgment and requests this Court to consider the same as proof in support of the allegations contained in the Complaint of the Plaintiffs and such other facts herein set forth.

FURTHER AFFIANT SAYETH NOT.


SCOTT P. WILLE

SUBSCRIBED AND SWORN
TO before me this 28th
day of March, 2008.


NOTARY PUBLIC



\\2657\High-Tech\2008\wille affidavit.bps.df.wpd

CERTIFICATE OF SERVICE

The undersigned, an attorney of record, hereby certifies that she electronically filed the foregoing document (Affidavit of Scott P. Wille) with the Clerk of Court using the CM/ECF system, and further certifies that I have mailed the above-referenced document by United States Mail to the following non-CM/ECF participants on or before the hour of 5:00 p.m. this 1st day of April 2008:

Mr. Leonard R. Chaplinski, Jr., President
High Tech, Inc.
1072 Flamingo Lane
Bradley, IL 60915

Mr. L. Patrick Power
Attorney at Law
956 N. Fifth Avenue
Kankakee, IL 60901

/s/ Beverly P. Alfon

Beverly P. Alfon
Attorney for Plaintiffs
BAUM SIGMAN AUERBACH & NEUMAN, LTD.
200 West Adams Street, Suite 2200
Chicago, IL 60606-5231
Bar No.: 6274459
Telephone: (312) 236-4316
Facsimile: (312) 236-0241
E-Mail: balfon@baumsigman.com